

REMARKS

The present application has been reviewed in light of the Office Action dated April 9, 2009. Claims 1-13, 15, and 17 are presented for examination, of which Claims 1, 2, 6, 9, 12, and 13 are in independent form. Claims 1, 2, 6, 9, 12, and 13 have been amended to define aspects of Applicant's invention more clearly. Favorable reconsideration is requested.

The Office Action states that Claims 1-13, 15, and 17 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0032761 (*Aoyagi*). For at least the following reasons, Applicant submits that independent Claims 1, 2, 6, 9, 12, and 13, together with the claims dependent therefrom, are patentably distinct from the cited prior art.

The aspect of the present invention set forth in Claim 1 is directed to a network device managing apparatus that receives search requests transmitted from a data processing apparatus, performs searches for network devices in response to receiving the search requests, and transmits device lists indicating the network devices found by performing the searches to the data processing apparatus. The network device managing apparatus includes a first receiving unit, a first searching unit, a storage unit adapted, a second receiving unit, an obtaining unit, a second searching unit, a comparing unit, and a forming unit.

The first receiving unit receives, from the data processing apparatus, a first search request for a first search for network devices and identification information identifying the data processing apparatus transmitting the first search request. In response to the first search request being received by the first receiving unit, the first searching unit performs the first search for network devices. The storage unit stores a first device list indicating the network devices found

by performing the first search. The first device list is stored in association with the identification information identifying the data processing apparatus that transmitted the first search request.

The second receiving unit receives, from the data processing apparatus, a second search request for a second search for network devices and the identification information identifying the data processing apparatus transmitting the second search request. In response to the second search request being received by the second receiving unit, the second searching unit performs the second search for network devices.

The obtaining unit uses the received identification information as a key and obtains, from among device lists stored in the storage unit, the first device list associated with the received identification information. The first device list indicates a first search result provided by the first searching unit. The comparing unit compares a second search result provided by the second searching unit with the first search result indicated by the first device. The forming unit specifies one or more network devices found by performing the second search by the second searching unit, but not present in the first search result indicated by the first device list, and forms a second device list in which the one or more network devices are emphasized among network devices found by performing the second search. The transmitting unit transmits the second device list formed by the forming unit to the data processing apparatus.

By virtue of the operation of the above features, a server may store a plurality of device lists, each associated with a different client that has requested a search, and, when a search request is received from a particular client, a new device list that is updated based on a previous search performed on behalf of that client can be returned, for example.¹

^{1/} Any examples presented herein are intended for illustrative purposes and are not to be construed to limit the scope of the claims.

Aoyagi is understood to relate to a system for automatically recognizing and displaying a physical network configuration of devices on a network (*see* paragraph 2). *Aoyagi* discusses that a bridge Management Information Base (MIB), a repeater MIB, and an interface MIB can be consulted to detect connections between packet relay devices (*see* paragraph 156). The bridge MIB contains an object storing Media Access Control (MAC) addresses of devices connected to individual ports of a packet relay device (*see* paragraph 157). The repeater MIB contains an object storing a MAC address of a source of a frame that was received most recently on each port of the packet relay device (*see* paragraph 157). The interface MIB contains a port status for each port of the packet relay device (*see* paragraph 157). The packet relay device stores MIB objects 301 in a tree structure (*see* paragraph 169).

Aoyagi also discusses that an administrator terminal 71 includes a chart display program that periodically collects MIB object values using an auto discovery module, monitors changes in the MIB object values, and automatically reflects network configuration changes on a network configuration chart to inform a user of the changes (*see* paragraph 162). The single administrator terminal 71 on the network recognizes a network configuration automatically (*see* paragraph 187). The administrator terminal 71 includes a MIB access module 612 that manages an Object Identifier (OID) table 621 that stores MIB2 OID information (*see* paragraph 189). The OID table 621 stores items including an Object Name 701, which contains unique object names to be used as a key when the MIB access module 612 searches the OID table 621 (*see* paragraphs 192-193). To create Simple Network Management Protocol (SNMP) messages, the MIB access module 612 accesses the OID table 621 and retrieves the identifiers of MIB objects to be acquired (*see* paragraph 194).

Aoyagi merely discloses that, to obtain values of objects contained in the MIBs stored by the packet relay devices on the network, the administrator terminal 71 accesses information stored in the OID table 621 to issue SNMP request messages to the packet relay devices. The administrator terminal 71 receives responses to the SNMP request messages that it issues, however, the administrator terminal 71 does not receive requests from the packet relay devices on the network. Accordingly, the administrator terminal 71 does not receive a request for a search for network devices. Moreover, the administrator terminal 71 does not create a device list indicating a result of a search that is performed in response to receiving a request for a search for network devices.

In summary, nothing has been found in *Aoyagi* that is believed to teach or suggest a network device managing apparatus that includes a “first receiving unit adapted to receive, from the data processing apparatus, a first search request for a first search for network devices, and identification information identifying the data processing apparatus transmitting the first search request,” a “first searching unit adapted to perform the first search for network devices in response to the first search request received by the first receiving unit,” a “storage unit adapted to store a first device list indicating the network devices found by performing the first search, the first device list being stored in association with the identification information identifying the data processing apparatus that transmitted the first search request,” a second receiving unit adapted to receive, from the data processing apparatus, a second search request for a second search for network devices, and the identification information identifying the data processing apparatus transmitting the second search request,” a “second searching unit adapted to perform the second search for network devices in response to the second search request received by the second receiving unit,” an “obtaining unit adapted to obtain, from among device lists stored in the

storage unit and using the received identification information as a key, the first device list associated with the received identification information, the first device list indicating a first search result provided by the first searching unit,” a “comparing unit adapted to compare a second search result provided by the second searching unit with the first search result indicated by the first device list obtained by the obtaining unit,” a “forming unit adapted to specify one or more network devices found by performing the second search by the second searching unit but not present in the first search result indicated by the first device list obtained by the obtaining unit, and to form a second device list in which the one or more network devices are emphasized among network devices found by performing the second search,” and a “transmitting unit adapted to transmit the second device list formed by the forming unit to the data processing apparatus,” as recited in Claim 1.

Accordingly, Applicant submits that Claim 1 is not anticipated by *Aoyagi*, and respectfully requests withdrawal of the rejection under 35 U.S.C. § 102(e).

Independent Claims 2, 6, 9, 12, and 13 include features similar in many relevant respects to those of Claim 1, and are believed to be patentable for at least the reasons discussed above. The other claims in the present application depend from one or another of independent Claims 1, 2, 6, and 9, and are submitted to be patentable for at least the same reasons. However, because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and an early passage to issue of the present application.

No petition to extend the time for responding to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Lock See Yu-Jahnes/

Lock See Yu-Jahnes
Attorney for Applicant
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

FOHS_WS 3283809v1